

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on March 27, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Bill Harris (R)
Rep. Kathy Kelker (D)
Rep. Casey Knudsen (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Matt Regier (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Jennifer Eck (D)
Rep. Shane A. Morigeau (D)

Members Absent:

Rep. Ellie Hill Smith (D)

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 611, 3/20/2017; HB 580, 3/20/2017; HB 581, 3/20/2017; SB 250, 3/20/2017; HB 600, 3/20/2017
Executive Action: HB 571, HB 609

HEARING ON HB 600**Opening Statement by Sponsor:**

00:01:33 Rep. Frank Garner (R), HD 7, opened the hearing on HB 600, Generally revise victims' rights laws.

Proponents' Testimony:

00:03:38 Jon Bennion, Department of Justice (DOJ)

EXHIBIT(juh63a01)

00:08:28 Rep. Morigeau and Rep. Eck joined the meeting.

00:12:43 Adrian Cotton, Department of Corrections (COR)

00:14:56 Rich McLane, Bozeman Police Department (BPD)

00:17:57 Leo Gallagher, Montana County Attorneys Association (MCAA)

00:24:36 Melinda Reed, The Friendship Center

00:28:51 Anna Savend, Self

00:32:49 Sara Sexe, Self

00:37:40 Kelly Lynch, Montana League of Cities and Towns ()

00:38:34 Robin Turner, Montana Coalition Against Domestic a MLCT nd Sexual Violence (MCADSV)

Opponents' Testimony:

00:45:26 Chuck Denowh, Marsy's Law for All

00:49:17 Brad Griffin, Montana Retail Association (MRA)

00:53:03 Marty Lambert, Gallatin County Attorney

01:00:27 Bridger Mahlum, Montana Chamber of Commerce

Informational Testimony: None**Questions from Committee Members and Responses:**

01:01:27 Rep. B. Brown

01:01:46 Jon Bennion, DOJ

01:06:18 Rep. Kelker

01:07:18 Robin Turner, MCADSV

01:09:07 Rep. C. Knudsen

01:09:42 Jon Bennion, DOJ

01:11:56 Rep. Manzella

01:12:12 Rep. Usher

01:13:36 Rep. Garner

01:13:52 Jon Bennion, DOJ

01:15:11 Rep. Usher

Closing by Sponsor:

01:16:37 Rep. Garner

HEARING ON HB 611

Opening Statement by Sponsor:

01:27:02 Rep. Derek Skees (R), HD 11, opened the hearing on HB 611, Generally revise state laws related to immigration and refugees.

Proponents' Testimony: None

Opponents' Testimony:

01:34:05 SK Rossi, American Civil Liberties Union (ACLU)

01:38:55 Geraldine Driscoll, Department of Health and Human Services (DPHHS)

[**EXHIBIT\(juh63a02\)**](#)

01:40:34 David Kahn, Self

01:42:50 David Andersen, Montana Association of Christians

01:45:04 Matthew Brower, Montana Catholic Conference

01:48:26 Kelly Lynch, Montana League of Cities and Towns (MLCT)

01:51:11 Rachael Carroll Rivas, Montana Human Rights Network

01:52:17 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:54:57 Rep. Skees

HEARING ON HB 580

Opening Statement by Sponsor:

02:05:05 Rep. Bradley Hamlett (D), HD 23, opened the hearing on HB 580, Provide for primary seat belt law for minors.

Proponents' Testimony:

02:06:32 Sheila Hogan, Department of Health and Human Services (DPHHS)

02:09:36 Pat Wise, Montana Department of Transportation (MDT)

02:11:31 Karli Tutwiler, Self

02:14:15 Kiely Keauee, Montana Medical Association (MMA)

[**EXHIBIT\(juh63a03\)**](#)

02:16:59 Jessie Luther, Association of Montana Troopers, Benefis Health

02:18:08 John Iverson, AAA Mountain West

02:18:32 Spook Stang, Motor Carriers of Montana

Opponents' Testimony: None

Informational Testimony:

02:19:39 Michele Snowberger, Department of Justice (DOJ)

Questions from Committee Members and Responses:

02:20:08 Rep. Kelker
02:20:34 Pat Wise, MDT
02:21:04 Michele Snowberger, DOJ
02:21:18 Rep. Sheldon-Galloway
02:22:54 Rep. Hamlett
02:23:19 Rep. Sheldon-Galloway
02:23:42 Michele Snowberger, DOJ
02:24:22 Rep. Usher
02:25:30 Rep. Hamlett
02:26:47 Chair Doane
02:27:21 Rep. Hamlett

Closing by Sponsor:

02:27:48 Rep. Hamlett

HEARING ON HB 581

Opening Statement by Sponsor:

02:32:46 Rep. Matt Regier (R), HD 4, opened the hearing on HB 581, Establish an uninsured motorist victims restitution fund.

[EXHIBIT\(juh63a04\)](#)

Proponents' Testimony:

02:37:21 Mark Murphy, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

02:42:11 Greg Mohr, Montana Magistrates Association (MMA)
02:48:23 Roger McGlenn, Independent Insurance Agents of Montana

Informational Testimony:

02:52:27 Al Smith, Montana Trial Lawyers Association (MTLA)
02:54:15 Bob Biskupiak, State Auditor's Office

Questions from Committee Members and Responses:

02:54:48 Rep. Eck
02:55:07 Bob Biskupiak, State Auditors Office

Closing by Sponsor:

02:56:04 Rep. Regier

Committee Business:

02:57:42 Chair Doane

03:01:54 Recess
03:21:53 Reconvene

EXECUTIVE ACTION ON HB 571**Discussion:**

03:22:05 Helen Thigpen, Legislative Services Division (LSD)

03:22:25 **Motion:** Rep. Berglee moved that **HB 571 DO PASS.**

03:22:34 **Motion:** Rep. Usher moved that **HB 571 BE AMENDED.**
EXHIBIT(juh63a05)

Discussion:

03:22:50 Helen Thigpen, LSD

03:24:05 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith voted by proxy.

03:24:37 **Motion:** Rep. Berglee moved that **HB 571 DO PASS AS AMENDED.**

Discussion:

03:24:47 Rep. Eck
03:25:33 Rep. Harris
03:26:20 Rep. Usher
03:28:36 Rep. Eck
03:29:30 Rep. Morigeau
03:31:24 Rep. Berglee
03:33:08 Rep. Harris

03:33:52 **Motion:** Rep. C. Knudsen moved that **HB 571 BE CONCEPTUALLY AMENDED TO INCLUDE A SUNSET DATE TO THE BILL OF JUNE, 2023.**

Discussion:

03:34:44 Rep. B. Brown
03:35:24 Rep. Usher
03:35:53 Rep. Morigeau
03:36:18 Rep. C. Knudsen

03:36:34 **Vote:** Motion carried 14-5 by roll call vote with Rep. Doane, Rep. Manzella, Rep. Morigeau, Rep. Perry and Rep. M. Regier voting no. Rep. Hill Smith voted by proxy.

03:37:53 **Motion:** Rep. Berglee moved that **HB 571 DO PASS AS AMENDED.**

Discussion:

03:38:07 Rep. Morigeau
03:39:20 Rep. Bishop
03:40:33 Rep. Court
03:42:03 Rep. Berglee
03:43:25 Rep. Usher
03:43:47 Rep. Morigeau
03:43:53 Rep. Usher
03:44:37 Rep. McConnell

03:44:56 **Vote:** Motion failed 8-11 by roll call vote with Rep. Berglee, Rep. B. Brown, Rep. Doane, Rep. Harris, Rep. Manzella, Rep. M. Regier, Rep. Sheldon-Galloway and Rep. Usher voting aye. Rep. Hill Smith voted by proxy.

03:45:59 **Motion:** Rep. Berglee moved that **HB 571 BE TABLED**. Motion was without objection.

EXECUTIVE ACTION ON HB 609

Discussion:

03:46:23 Helen Thigpen, LSD

03:46:56 **Motion:** Rep. Berglee moved that **HB 609 DO PASS**.

Discussion:

03:46:57 Rep. Court

03:47:18 Chair Doane

03:47:29 Rep. Court

03:47:35 Rep. Eck

03:48:22 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

03:49:42 Rep. Eck

03:51:48 Rep. Kelker

03:54:23 Rep. Court

03:56:31 Rep. Usher

03:58:15 Rep. Bishop

04:00:21 Rep. Morigeau

04:02:19 Rep. McConnell

04:04:55 Rep. B. Brown

04:06:38 Rep. Eck

04:08:21 Rep. Wagoner

04:08:31 **Vote:** Motion failed 8-10 by roll call vote with Rep. Berglee, Rep. B. Brown, Rep. Doane, Rep. Harris, Rep. Hill Smith, Rep. Manzella, Rep. M. Regier and Rep. Usher voting aye. Rep. Hill Smith voted by proxy.

04:09:49 **Motion:** Rep. Berglee moved that **HB 609 BE TABLED**. Motion was without objection.

ADJOURNMENT

Adjournment: 04:10:29

Sara Fleming, Secretary

sf

Additional Documents:

EXHIBIT([juh63aad.pdf](#))